

*****NOT FOR PUBLICATION*****

NO. 24489

IN THE SUPREME COURT OF THE STATE OF HAWAII

STATE OF HAWAII, Respondent/Plaintiff-Appellee
vs.

FRANK ORLANDO LOHER, Petitioner/Defendant-Appellant

CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS
(CR. NO. 99-1621)

ORDER DISMISSING CERTIORARI PROCEEDING

(By: Moon, C.J., Levinson, Nakayama, and Acoba, JJ.,
and Circuit Judge Ahn, assigned by reason of vacancy)

Upon further consideration of the records and files in
this case, it appearing that the writ of certiorari herein was
improvidently granted,

IT IS HEREBY ORDERED that this certiorari proceeding is
dismissed.

DATED: Honolulu, Hawaii, June 16, 2003.